

IC 34-36-3

Chapter 3. Jurors and Challenges

IC 34-36-3-1

Number of jurors; stipulations

Sec. 1. (a) In a civil case, the jury consists of six (6) members.

(b) At any time before the verdict is announced, the parties may stipulate that a verdict or finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury.

As added by P.L.1-1998, SEC.32.

IC 34-36-3-2

Alternate jurors

Sec. 2. (a) In a civil case, the court may direct that no more than three (3) jurors be called and impanelled, in addition to the regular jury, to sit as alternate jurors.

(b) Alternate jurors shall, in the order in which they are called, replace jurors who, before the time the jury returns its verdict, become unable or disqualified to perform their duties.

(c) Alternate jurors:

- (1) shall be drawn in the same manner;
- (2) must have the same qualifications;
- (3) are subject to the same examination and challenges;
- (4) shall take the same oath; and
- (5) shall perform the same function and hold the same powers and privileges;

as regular jurors. An alternate juror who does not replace a regular juror shall be discharged after the jury brings in its verdict.

As added by P.L.1-1998, SEC.32.

IC 34-36-3-3

Number of challenges

Sec. 3. (a) Each party in a civil case has three (3) peremptory challenges.

(b) In addition to the peremptory challenges under subsection (a), each party is entitled to:

- (1) one (1) peremptory challenge if the court directs that one (1) or two (2) alternate jurors are to be impanelled; or
- (2) two (2) peremptory challenges if the court directs that three (3) alternate jurors are to be impanelled.

(c) The additional peremptory challenges under subsection (b) may be used only against alternate jurors, and the peremptory challenges under subsection (a) may not be used against alternate jurors.

As added by P.L.1-1998, SEC.32.

IC 34-36-3-4

Examination of jurors

Sec. 4. (a) The court may:

- (1) permit the parties or their attorneys to conduct the

examination of prospective jurors; or
(2) conduct the examination itself.

(b) If the court conducts the examination of prospective jurors, the court shall permit the parties or their attorneys to supplement the examination by further inquiry.

As added by P.L.1-1998, SEC.32.

IC 34-36-3-5

Challenge; interested in another suit

Sec. 5. It is sufficient cause for challenge to a juror that the juror is interested in another suit, begun or contemplated, involving the same or a similar matter.

As added by P.L.1-1998, SEC.32.

IC 34-36-3-6

Oath; verdict

Sec. 6. Before the commencement of the trial, an oath must be administered to each juror that the juror will:

- (1) well and truly try the matter in issue between the parties;
and
- (2) give a true verdict;

according to law and evidence.

As added by P.L.1-1998, SEC.32.

IC 34-36-3-7

Panel exhausted; bystanders called

Sec. 7. When the regular panel is exhausted or is insufficient from any cause, the sheriff shall:

- (1) call the bystanders; or
- (2) fill the jury in such a manner as the court may direct.

As added by P.L.1-1998, SEC.32.